

Serial No.: 10/065,413 (Docket No. U02-0003.16)

### **Remarks/Arguments**

Claims 1-15 are pending in this application. Claims 1-3, 10, and 13 have been amended herein. Claims 1-15 will still be pending upon entry of this response.

A telephonic interview took place on November 15, 2005, between the Examiner and the undersigned attorney of record. Applicant thanks the Examiner for the opportunity to discuss the application. The sole purpose of the interview was to address the rejection under 35 U.S.C. § 112. The Applicant agrees with and incorporates the substance of the Examiner's comments in the Interview Summary. Applicant believes that the claim amendments herein reflect the discussion with respect to the nature of the amendments that Applicant agreed to make in a formal response.

The Examiner has rejected claims 1, 10, and 13 under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement. Applicant has amended these claims to use the term "DTV signal" as opposed to "terrestrial ranging signal" as discussed in the above-mentioned telephonic interview. The new terminology tracks the language in paragraph [0018] of the specification as discussed by the Examiner in the recent office action. Additional amendments have been made to the claims so that other references to this signal are consistent with the new language. Applicant has also amended dependent claims 2 and 3 for consistency. Applicant submits that the claims as amended comply with 35 U.S.C. § 112.

The Examiner has objected to paragraph [0025] of the specification for an unspecific reference to "these Figures" contained in the next-to-last sentence of the paragraph. Applicant appreciates the Examiner's assistance in locating informalities in the specification. The specification has been amended to replace this reference with the phrase, "the example block diagrams shown within this disclosure" that parallels the other reference to the block diagrams contained in the beginning of paragraph [0025]. Thus, the reference is specific and adds no new matter.

In the recent office actions, the Examiner has maintained the rejection of claims 1, 2, 4, 6, 10, 11, 13 and 14 under 35 USC § 103(a) as being unpatentable in view of U.S. Patent 6,035,202 to Camp, Jr. (Camp) in combination with U.S. Patent 6,522,297 to Rabinowitz et al. (Rabinowitz). The Examiner has also maintained the rejection of claims 3, 8, 12, and 15 under section 103 where the Examiner further points to U.S. Published Patent Application

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2002/0144294. Since the Examiner indicated that the section 112 problems had prevented him from fully considering Applicant's previous amendments, Applicant respectfully reiterates all the previous arguments, but with respect to the newly amended claims.

As previously discussed, Applicant emphasizes the different way in which the presently claimed system and the system of Camp operate. In Camp, the ranging signal is demodulated (or detected), as is evidenced by the portion of Camp that discusses the audio passband for a cellular telephone, and the fact that the recovered (demodulated or detected) pilot signal may fall outside that passband. With the present invention, however, the DTV signal is *not* demodulated or detected. The fact that demodulation of the ranging signal (a DTV signal in example embodiments of the present invention) is not needed is one of the aspects of the claimed invention that allows a system to function with the relatively narrow bandwidth common filter.

Applicant has amended all of the independent claims to recite that synchronization bursts are recovered "without demodulating the DTV signal." Support for this recitation can be found in paragraph [0018] of the specification. This recitation is present in all dependent claims by virtue of their dependence from amended claims. Thus, the claims now recite that ranging is accomplished without demodulation of the DTV signal. Applicant submits that the claims as presently amended are patentable in view of the cited art and are now in condition for allowance.

Applicant believes he has responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby requested. If the Examiner has any questions about the present response, a telephone interview is requested.

Respectfully submitted,

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